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October 26, 2020

**APPLICATION GRANTED
SO ORDERED** 
**VERNON S. BRODERICK
U.S.D.J.**

BY ECF

Hon. Vernon S. Broderick
United States District Judge
40 Foley Square
New York, New York 10007

The defendant shall surrender at his designated facility on
January 21, 2021 before 2 p.m.

Re: United States v. Ziskind, et al., 18 CR 375 (VSB)

Dear Judge Broderick:

I am writing on behalf of defendant Keith Orlean and without objection from the government to respectfully request a final extension of Mr. Orlean's November 4, 2020 surrender date in light of both the ongoing public health emergency and the defendant's recently being diagnosed with hypertension, for which his medication is still being adjusted. See October 21, 2020 Letter of Dr. Daniel Wachsman, attached as Exhibit A.

By way of background, on September 26, 2019, Mr. Orlean pleaded guilty pursuant to a plea agreement to Counts One and Two of a four-count Indictment which charged him with Conspiracy to Commit Securities Fraud, in violation of 18 U.S.C. § 371 (Count One), and Securities Fraud, in violation of 15 U.S.C. §§ 78j(b) & 78ff and 17 CFR § 240.10b-5 (Count Two). On February 12, 2020, Your Honor sentenced Mr. Orlean to a period of 32 months incarceration to be followed by three years of supervised release.

Mr. Orlean is 63 years old, and accordingly, finds himself at increased risk of death or severe complication should he become infected with COVID-19 merely by virtue of his age. See COVID-19 Hospitalization and Death by Age, CDC, available at: <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/investigations-discovery/hospitalization-death-by-age.html> (last viewed October 26, 2020). Indeed, the CDC has recently indicated that those in the 50-64 year old age group are 30 times more likely to die from COVID-19 as compared to 18-29 year olds – and those in the 65-74 year old age group are 90 times more likely to be killed by the virus. Additionally, the Mayo Clinic has indicated that those who suffer uncontrolled

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hypertension are at increased risk for severe complications due to COVID-19.¹ As the attached letter from his doctor indicates, Mr. Orlean was recently diagnosed with this condition and it is “in the process of being regulated.” See Ex. A. The extension that we seek would permit Mr. Orlean to get his hypertension under control prior to beginning service of his sentence.

Thank you for the Court’s consideration of this application. I remain available for a teleconference should Your Honor deem it necessary.

Respectfully submitted,

A handwritten signature in black ink, consisting of a stylized, cursive 'J' followed by a series of loops and a final horizontal stroke.

Jeffrey Lichtman

cc: Andrew Thomas, Esq.
Robert Boone, Esq.
Assistant United States Attorneys (by ECF)

¹ See William F. Marshall, MD, COVID-19 and high blood pressure: Am I at risk?, Mayo Clinic, available at: <https://www.mayoclinic.org/diseases-conditions/coronavirus/expert-answers/coronavirus-high-blood-pressure/faq-20487663> (last viewed October 26, 2020).

EXHIBIT A



William Breen, MD, FACC

Richard Maisel, MD, FACC

David Grossman, MD, FACC,
FACP

Chief, Cardiology
Northwell Plainview
Assistant Professor,
Department of Cardiology
Hofstra Northwell School of
Medicine

Daniel Wachsman, MD,
FACC, FSCAI
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Gaetano Pannella, MD,
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Neeral Patel, MD, FACC
Assistant Professor,
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Hofstra Northwell School of
Medicine

Steven Savella, MD

Alice D. Friedrich, MS,
APRN, BC, CVN-II

Name: KEITH ORLEAN

DOB: 10/02/1957

Encounter Date: 10/21/2020

October 21, 2020

To Whom it May Concern:

KEITH ORLEAN is a patient under my cardiac care. He has a medical history of hyperlipidemia and has been recently diagnosed with hypertension. He is being treated with medication for his hypertension and is in the process of being regulated. He has a follow up appointment on 11/13/2020 for reassessment of his blood pressure. If you have any further questions please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "DW".

Daniel Wachsman, M.D.